

or to any benefit payable under title II of the Social Security Act to which entitlement is based on an application filed in or before the month in which this Act becomes law.

(c) ~~FEDERAL PUBLIC BENEFIT DEFINED.—~~

(1) Except as provided in paragraph (2), for purposes of

this title the term "Federal public benefit" means—

(1)

license, or

commercial license provided by an agency of the United States or by appropriated funds of the United States; and

(2)

any retirement, welfare, health,

disability, public

or assisted housing, postsecondary education, food assist-

ance, unemployment benefit, or any other similar benefit

for which payments or assistance are provided to an

individual, household, or family eligibility unit by an

agency of the United States or by appropriated funds of

the United States.

(2) Such term shall not apply—

(A) to any contract, professional license, or commercial

license for a nonimmigrant whose visa for entry is related

to such employment in the United States; or

(B) with respect to benefits for an alien who as a

work authorized nonimmigrant or as an alien lawfully

admitted for permanent residence under the Immigration

and Nationality Act qualified for such

benefits and for

whom the United States under reciprocal treaty agree-

ments is required to pay benefits, as

determined by the

Attorney General, after consultation with the Secretary

of State.

## **8 USC 1612. SEC. 402. LIMITED ELIGIBILITY OF QUALIFIED ALIENS FOR CERTAIN**

### **FEDERAL PROGRAMS.**

(a) **LIMITED ELIGIBILITY FOR SPECIFIED FEDERAL PROGRAMS.—**

(1) **IN GENERAL.—**Notwithstanding any other provision of

law and except as provided in paragraph (2), an alien who

is a qualified alien (as defined in section 431) is not eligible

for any specified Federal program (as defined in para-

graph (3)).

(2) **EXCEPTIONS.—**

(A) **TIME-LIMITED EXCEPTION FOR REFUGEES AND**

**ASYLUM SEES.—**Paragraph (1) shall not apply to an alien until

5 years after the date—

(i) an alien is admitted to the United States

as a refugee under section 207 of the Immigration and

Nationality Act;

(ii) an alien is granted asylum under section

of such Act: or

(iii) an alien's deportation is withheld under section 243(h) of such Act.

(B) CERTAIN PERMANENT RESIDENT ALIENS.—

Paragraph

(1) shall not apply to an alien who—

(i) is lawfully admitted to the United States for permanent residence under the Immigration and Nationality Act: and

(ii) (I) has worked 40 qualifying quarters of coverage as defined under title II of the Social Security Act or can be credited with such qualifying quarters as provided under section 435, and (II) in the case